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Attorneys for Defendant
LIBRE BY NEXUS, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JUAN QUINTANILLA VASQUEZ, et al.,

Plaintiffs,

vs.

LIBRE BY NEXUS, INC.,

Defendant.

Case No. 4:17-cv-00755-CW

**DAVIS WRIGHT TREMAINE LLP AND
GORBY, PETERS & ASSOCIATES LLC's
RESPONSE TO DEFENDANT LIBRE BY
NEXUS, INC.'S STATUS UPDATE**

Assigned to the Hon. Claudia Wilken
Action Filed: February 15, 2017

1 Davis Wright Tremaine LLP (“DWT”) and Gorby, Peters & Associates LLC (“Gorby
2 Peters”) hereby respond to Defendant Libre by Nexus, Inc.’s (“LBN”) Status Update (ECF No.
3 230) to correct a misstatement and to concur in LBN’s request that DWT and LBN be allowed to
4 withdraw as counsel.

5 First, DWT and Gorby Peters strongly disagree with LBN’s statement that: “The majority
6 of the attorneys who have been required to remain in this case by the Court have no contact with
7 LBN or its principals regarding legal guidance/strategy.” LBN’s Status Update at 3. On the
8 contrary, DWT and Gorby Peters have coordinated with each other to ensure that one or the other
9 or both firms promptly communicate both to LBN’s lead counsel and to LBN’s principals, directly,
10 with respect to each and every Court order and case development, despite not being paid or being
11 allowed to withdraw. DWT and Gorby Peters stand ready to provide that correspondence to the
12 Court for *in camera* review should the Court ask them to do so.

13 Second, DWT and Gorby Peters concur in LBN’s request that DWT and LBN be allowed
14 to withdraw. As the Court knows from LBN’s earlier requests to allow DWT and LBN to
15 withdraw, LBN has since retained substitute counsel who have appeared on LBN’s behalf and who
16 have handled subsequent filings of LBN. With the Court’s approval of the class settlement there
17 is no further need for DWT’s and Gorby Peter’s particular litigation expertise and requiring LBN
18 to continue to retain four additional lawyers at two additional firms only unnecessarily compounds
19 LBN’s financial obligations during this time of its existential challenges.

20 Pursuant to Local Rule 5-1(h)(3), I hereby attest that all other signatories listed on this
21 document, and on whose behalf the filing is submitted, concur in the filing’s content and have
22 authorized the filing.

DAVIS WRIGHT TREMAINE LLP

1 DATED: November 15, 2022

Respectfully submitted,

2 DAVIS WRIGHT TREMAINE LLP
3 SEAN M. SULLIVAN
4 KENNETH E. PAYSON

5 By: /s/ Sean M. Sullivan
6 SEAN M. SULLIVAN

7 By: /s/ Kenneth E. Payson
8 KENNETH E. PAYSON

9 GORBY, PETERS & ASSOCIATES LLC
10 MICHAEL J. GORBY
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12 By: /s/ Michael J. Gorby
13 MICHAEL J. GORBY

14 By: /s/ Mary Donne Peters
15 MARY DONNE PETERS

16 Attorneys for Defendant
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